

**PAUL BATISTA, P.C.  
Attorney-at-Law  
26 Broadway – Suite 1900  
New York, New York 10004  
(631) 377-0111**

**e-mail: Batista007@aol.com**

**Facsimile: (212) 344-7677**

January 22, 2020

VIA ECF

Hon. I. Leo Glasser  
Senior United States District Judge  
for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: Kashmir Gill v. Jus Punjabi Broadcasting Corp., et al.,  
19-cv-04216 (ILG) (PK)**

Dear Judge Glasser:

I represent all defendants (collectively, the “Jus Punjabi defendants”) in the above-entitled matter.

Pursuant to Your Honor’s Order filed December 23, 2019 (Doc. #53), I have conferred with Alan R. Ackerman, admitted *pro hac vice*, as to a briefing schedule with respect to my long held belief that the original complaint, which was initially filed in February 2019 in the United States District Court for the District of New Jersey but then transferred on my motion on venue and jurisdictional grounds to this Court and contained all of its core allegations under the Racketeer Influenced and Corrupt Organizations Act (“RICO”), 18 U.S.C. § 1962(c) – was subject to motions to dismiss on substantive grounds under Fed. R. Civ. P. 12, 9 and 8 for failure to state a claim. I also consistently preserved my clients’ right to seek sanctions against plaintiff and his counsel under Fed. R. Civ. P. 11.

As Your Honor knows, Mr. Ackerman recently moved, as is his right, pursuant to Fed. R. Civ. P. 15 for leave to file an Amended Complaint. Because Rule 15 provides that leave to amend shall be freely given and more important because the Amended Complaint *deleted* in full all counts and claims under RICO, I immediately advised Judge Kuo that I consented to the motion for leave to file the Amended Complaint. It was filed on or about January 10, 2020.

In light of your December 23, 2019 Order (Doc. ¶53), I conferred with Mr. Ackerman about a briefing schedule for the Jus Punjabi defendants’ projected motion to dismiss under Fed. R. Civ. P. 12, 9 and 8. I proposed a briefing schedule to Mr. Ackerman, and his response, with which I completely sympathize as a matter of professional courtesy in light of his vacation plans, was for a thirty day extension of the proposals I had made.

In light of the foregoing, I ask that Your Honor “so order” the following schedule:

Hon. I Leo Glasser  
January 22, 2020  
Page 2

- March 13, 2020 – Defendants to serve and file motion to dismiss;
- April 13, 2020 – Plaintiff to serve and file opposition papers; and
- April 28, 2020 – Defendants to serve and file reply papers.

Respectfully submitted,

  
Paul Batista

cc: All Counsel of Record

*So ordered*  
*L. H. Glasser*  
*USDC*  
*1/23/20*